

Attorney Docket No. 10559-228001
Serial No. 09/608,307
Amendment dated March 8, 2004
Reply to Office Action dated December 8, 2003

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 1-30 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Noriyuki in view of Lowry. In order to emphasize the patentable distinctions of the claims, claims 2 and 3 have been incorporated into claim 1. In addition, claim 1 has been amended to more distinctly recite the patentable features thereof. As amended, it is respectfully suggested that all of the claims are in condition for allowance.

As amended, claim 1 specifies a routing system that includes a switch and a controller separate from the switch. Even though the switch and controller are separate, special techniques are followed using a virtual protocol so that the system operates just as it would if the switch was located in the controller.

Noriyuki teaches a system that teaches forwarding data packets using a virtual interface to avoid conventional route lookup of the packet forwarding. Even though Noriyuki teaches such a virtual interface, the word "virtual" by itself certainly does not teach or suggest the features as now claimed. In fact,

Attorney Docket No. 10559-228001
Serial No. 09/608,307
Amendment dated March 8, 2004
Reply to Office Action dated December 8, 2003

the virtual system described in Noriyuki is intended to be used over a conventional internet/router system. There is no teaching or suggestion that the router and switch are separated in Noriyuki, much less any teaching or suggestion of applying the virtual protocol to the packet in the switch, and removing it in the controller that is separate from the switch. Nor is there any teaching of operating as though the switch were in the controller, even though it is not in the controller.

Lowry teaches a virtual ethernet interface, that allows carrying out communications over the Internet using a virtual interface driver that acts in place of certain Internet functionalities. Nowhere is there any teaching or suggestion of a separate switch and controller forming a router, nor the specific virtual protocol being attached by the switch and stripped by the controller. Therefore, the hypothetical combination of Noriyuki in view of Lowry does not teach or suggest any of the features of claim 1, nor the claims which depend therefrom.

Claim 10 has been amended to include features similar to those in claim 1, including the switch and the controller being separate, and the virtual protocol. However, claim 10 recites the situation when the packet comes from the controller to the switch, instead of the other way around. In any case, this

Attorney Docket No. 10559-228001
Serial No. 09/608,307
Amendment dated March 8, 2004
Reply to Office Action dated December 8, 2003

subject matter is not in any way taught or suggested by the cited prior art, for reasons described above.

Claim 19 has been amended to emphasize more of the distinctions noted above, specifically, to define the first and second separate components of the router, and the different operations which are carried out. Again, none of this is taught or suggested by the hypothetical combination of references, as noted above.

Claim 25 has been amended to include comparable limitations, and should be allowable for similar reasons.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

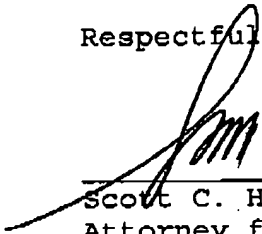
Attorney Docket No. 10559-228001
Serial No. 09/608,307
Amendment dated March 8, 2004
Reply to Office Action dated December 8, 2003

In view of the above amendments and remarks, therefore, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: March 8, 2004



Scott C. Harris
Attorney for Intel Corporation
Reg. No. 32,030

Fish & Richardson P.C.
PTO Customer Number: 20985
12390 El Camino Real
San Diego, CA 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099
10373743.doc